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5 Attorneys for Defendants
CITY OF EAST PALO ALTO; RONALD L. DAVIS; J. WOHLER;
6 SHANTE WILLIAMS; and ANGEL M. SANCHEZ

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 ENRIQUE AYALA-CANJURA,

CASE NO.: C08-01714 SBA

12 Plaintiff,

13 v.
14 DECLARATION OF PATRICK R. CO IN
15 SUPPORT OF MOTION TO CONTINUE
16 TIME TO COMPLETE EARLY
17 NEUTRAL EVALUATION

18 CITY OF EAST PALO ALTO, a
municipality; RONALD L. DAVIS; an
individual; J. WHOLER, an individual;
SHANTE WILLIAMS; an individual;
ANGEL M. SANCHEZ, an individual; and
DOES 1 - 10,

19 Defendants.

20 I, PATRICK R. CO, declare if called as a witness I could and would competently testify based
21 upon personal knowledge to the following:

22 1. I am an attorney at law duly licensed to practice before all courts of the State of
23 California and the United States District Court, Northern District of California, and am an associate
24 with the law offices of Clapp, Moroney, Bellagamba and Vucinich, attorneys of record for CITY OF
25 EAST PALO ALTO, RONALD L. DAVIS; JOHN WHOLER, SHANTE WILLIAMS, and ANGEL
26 M. SANCHEZ.

27 2. I have spoken with Mr. Shaiken regarding scheduling of the ENE session.

1 3. Mr. Shaiken and I both agreed that it would be very difficult to conduct that ENE
2 session before the September 22, 2008 deadline.

3 4. Mr. Shaiken and I agreed to hold the ENE session on October 14, 2008 in order to both
4 accommodate counsels' schedules as well as to conduct discovery necessary for a meaningful ENE.

5 5. The neutral, Mr. Edwin J. Wilson, Jr., has agreed to tentatively hold the session on
6 October 14, 2008 in anticipation of a favorable ruling on this motion by the Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated this 19th day of August, 2008, at San Bruno, California.

/s/

PATRICK R. CO